

# **Exhibit 3**

## **Michael Persyn Deposition**

### **Excerpts**

**Michael Persyn-Confidential**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

--oOo--

**REPORTER'S CERTIFIED  
TRANSCRIPT**

TESLA, INC., a Delaware  
corporation,

**CONFIDENTIAL**

Plaintiff,

vs.

No. 3:18-cv-00296-LRH-CBC

MARTIN TRIPP, an individual,

Defendant.

\_\_\_\_\_  
AND RELATED COUNTERCLAIMS.

\_\_\_\_\_  
\_\_\_\_\_

DEPOSITION OF

MICHAEL PERSYN

-----

Tuesday, January 22, 2019

CONFIDENTIAL - FOR LAWYERS' EYES ONLY

REPORTED BY: DIANE K. LUSICH, Nevada CSR NO. 181  
Calif. CSR NO. 5218  
Job No. 19-27591



11:55:00 1 everybody on the team. He left reviews for Garrett and  
11:55:05 2 myself and Yesenia, so... And then also John.

11:55:10 3 Q. Do you know whether other members of your  
11:55:13 4 team shared your and Ms. Duran's assessment of Mr. Tripp  
11:55:18 5 is toxic?

11:55:19 6 A. I do. I feel like the entire team, with the  
11:55:23 7 exception of this guy Patrick. But I never really could  
11:55:26 8 get a read on what Patrick, what he thought really, so...

11:55:32 9 Q. Was that Patrick Shakal?

11:55:35 10 A. Yes, that sounds familiar.

11:55:37 11 Q. Do you know if anyone on your team raised  
11:55:41 12 complaints to your supervisors about Mr. Tripp?

11:55:43 13 A. Yes, I formally complained to my supervisors.  
11:55:47 14 I know that Garrett talked to the supervisor. I know  
11:55:51 15 that Yesenia had a few long, almost heated conversations  
11:55:56 16 with the supervisor, because it was becoming like  
11:55:59 17 unbearable. Like, I did not like going to work. I  
11:56:04 18 didn't like walking -- I didn't like being around him. I  
11:56:08 19 didn't like talking. I couldn't even look at him.

11:56:12 20 Q. Did you ever raise complaints with Human  
11:56:15 21 Resources?

11:56:16 22 A. I had thought about it. But I talked it over  
11:56:20 23 with the rest of the team, and we felt it was best to try  
11:56:24 24 to stay with the leadership team and talk to them and be  
11:56:29 25 more up front with them. We thought that that would be a

11:56:35 1 better method, like -- and then I did too.

11:56:40 2 So it was actually my decision at the end of  
11:56:44 3 the day, and I decided to talk to the supervisors.

11:56:48 4 Q. Do you recall which supervisors that was?

11:56:51 5 A. So most of the time I talked to Lewis or,  
11:56:56 6 Lewis McKinney, or Dwight Kraft. And then Larry Lee  
11:57:01 7 also.

11:57:03 8 Q. Ms. Duran comments that Mr. Tripp, quote,  
11:57:06 9 (Reading): Had it out for you.

11:57:10 10 Do you believe that assessment is accurate?

11:57:13 11 A. I do.

11:57:14 12 Q. Are there others you believe that he had it  
11:57:17 13 out for?

11:57:18 14 A. Well, it just kind of seemed like if you did  
11:57:22 15 anything he perceived as against him or what he was  
11:57:26 16 trying to do, he would almost try to get back at you.  
11:57:30 17 And I guess I had just done enough stuff that he had just  
11:57:35 18 decided that I was now -- so there were times where  
11:57:40 19 Yesenia would do something, and it was almost like a tit  
11:57:44 20 for tat, like he would get back at her somehow, something  
11:57:48 21 would come down that she was now being looked at for  
11:57:52 22 whatever. I can't remember exact. But it definitely  
11:57:56 23 seemed like if you, almost like if you crossed him, he  
11:58:00 24 would come back at you, like retaliate, so...

11:58:04 25 Q. Why do you believe he had it out for you

**Michael Persyn-Confidential**

1 STATE OF NEVADA )

2 COUNTY OF DOUGLAS )

3 I, DIANE K. LUSICH, hereby certify that  
4 the witness in the foregoing deposition was, by me, duly  
5 sworn to tell the truth, the whole truth, and nothing  
6 but the truth, in the within-entitled cause;

7 That said deposition testimony of the  
8 witness was taken down in shorthand by me, a certified  
9 shorthand reporter and a disinterested person, at the  
10 time and place therein stated, and that the testimony of  
11 said witness, including certified copies, constitutes a  
12 full, true and correct transcription of my shorthand  
13 notes, and was thereafter reduced to typewriting by  
14 computer under my direction and supervision, to the best  
15 of my ability.

16 I further certify that I am not of counsel  
17 or attorney for either or any of the parties to the said  
18 deposition, nor in any way interested in the event of  
19 this cause, and that I am not related to any of the  
20 parties thereto.

21 In witness whereof, I have hereunto set my  
22 hand and affixed my seal of office this 31st day of  
23 January, 2019.

24 \_\_\_\_\_  
25 Notary Public  
State of Nevada, County of Douglas  
Nevada CCR #181